

Attorney Docket No. 0103.12BUS

USPTO FAX NO.: 703-746-3148

ATTENTION: Examiner Stephanie Zitomer  
TELEPHONE NUMBER: 703-308-3985

**OFFICIAL COMMUNICATION**  
**FOR THE PERSONAL ATTENTION OF**  
**EXAMINER STEPHANIE ZITOMER**  
**CERTIFICATION OF FACSIMILE TRANSMISSION**

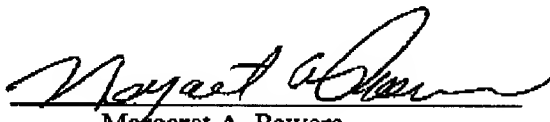
I hereby certify that the following document in re Application of Phillip A. Patten, et al., Application No. 09/954,692, filed September 12, 2001 entitled METHODS AND COMPOSITIONS FOR POLYPEPTIDE ENGINEERING, is being transmitted to Group 1600 of the U.S. Patent and Trademark Office to facsimile phone number 703-746-3148 on the date shown below.

Documents Attached

1. Transmittal Form (1 page)
2. Second Preliminary Amendment (14 pages)
3. Fee Transmittal by Facsimile (1 page)

Number of pages being transmitted, including this page: 17 pages

Dated: December 2, 2002

  
Margaret A. Powers  
Reg. No. 39,804

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

Application Number

09/954,692

Filing Date

September 12, 2001

First Named Inventor

Phillip A. Patten

Group Art Unit

1645

Examiner Name

Stephanie Zitomer

Attorney Docket Number

0103.12BUS

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence  
Address☐ Terminal Disclaimer☐ Small Entity Statement☐ Request for Refund☐ After Allowance Communication  
to Group☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Additional Enclosure(s)  
(please identify below):Second Preliminary  
Amendment; Transmittal  
Form; Fee Transmittal Sheet**Authorization to Charge Deposit Account**Please charge Deposit Account No. 50-0990 for any additional fees associated with  
this paper or during the pendency of this application, including any extension of time for  
consideration of the documents enclosed

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual name

Margaret A. Powers, Reg. No. 39,804

Signature



Date

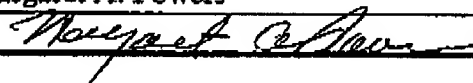
December 2, 2002

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Typed or printed name

Margaret A. Powers

Signature



Date

December 2, 2002

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**FEE TRANSMITTAL  
for FY 2002**

*Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB009-12.*

TOTAL AMOUNT OF PAYMENT (\$) 0.00**Complete if Known**

Application Number	09/954,692
Filing Date	September 12, 2001
First Named Inventor	Phillip A. Patten
Examiner Name	Stephanie Zitomer
Group / Art Unit	1645
Attorney Docket No.	0103.12BUS

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 50-0990  
Deposit Account Name Maxygen, Inc.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☐ Payment Enclosed:  
☐ Check ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 680	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
10	20**	0	0
4	3**	0	0
Multiple Dependent		0	0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 78	209 38	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
110 110	215 65	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1440	218 720	Extension for reply within fourth month	
128 1960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 300	220 150	Filing a brief in support of an appeal	
121 260	221 130	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1280	241 640	Petition to revive - unintentional	
142 1280	242 640	Utility issue fee (or reissue)	
143 430	243 215	Design issue fee	
144 580	244 290	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 690	246 345	Filing a submission after final rejection (37 CFR 1.129(a))	
149 690	249 345	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00**SUBMITTED BY**Typed or Printed Name Margaret A. PowersSignature Margaret A. Powers

Date

Dec. 2, 2002**Complete (if applicable)**Reg. Number 39,804

Deposit Account User ID

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Signature: Margaret A. Powers

Margaret A. Powers

Date: December 2, 2002

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December 2, 2002:

By:

Margaret A. Powers

Attorney Docket No: 0103.12BUS

*Handwritten:* 12-2-02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Phillip A. Patten, et al.

Application No.: 09/954,692

Application Filed: September 12, 2001

For: **METHODS AND COMPOSITIONS  
FOR POLYPEPTIDE  
ENGINEERING**

Examiner: Stephanie Zitomer

Art Unit: 1645

**SECOND PRELIMINARY  
AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir or Madam:

Please enter this Supplemental Preliminary Amendment in the above-referenced application. The following documents are enclosed herewith:

- 1) A marked up copy of the claims (Appendix A);
- 2) A courtesy copy of the pending claims (Appendix B);
- 3) A transmittal sheet; and
- 4) A fee transmittal sheet.

**In the Claims:**

Please cancel claims 274-277 without disclaimer or prejudice as to the subject matter claimed therein and without prejudice to subsequent renewal.

Please amend the claims by substituting the following claims for the corresponding previously pending claims of the same numbers: